

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 2, 4-13, 15-22 and 25-28 are pending in the present application; Claims 1, 6, 11, and 12 having been amended, and Claims 25-28 having been added by way of the present amendment.

In the outstanding Office Action, Claims 1, 2, 5, 6, 10-13, 16, 17, 21, and 22 were rejected under 35 U.S.C. § 103 as being unpatentable over Lawler in view of Ahmad et al., Claims 4 and 15 were rejected under 35 U.S.C. § 103 as being unpatentable over Lawler and Ahmad et al. and further in view of Ellis et al., Claims 7, 8, 18, and 19 were rejected under 35 U.S.C. § 103 as being unpatentable over Lawler and Ahmad et al. and further in view of Scarampi, and Claims 9 and 20 were rejected under 35 U.S.C. § 103 as being unpatentable over Lawler and Ahmad et al. and further in view of Applicant's admitted prior art.

Applicants acknowledge with appreciation the courtesy of an interview extended by SPE Srivastava and Examiner Peng to Applicants' attorney, James Kulbaski, on November 29, 2007, during which the outstanding issues in the application were discussed. During the interview, SPE Srivastava acknowledged that the prior art of record teaches minimal information about eye tracking and suggested that the claimed be amended to recite details of the eye tracking. Applicants appreciate this suggestion and have proceeded along the lines suggested by SPE Srivastava.

The originally filed specification describes the direction-view determining module (eye tracker) at the bottom of page 9 and the top of page 10. It indicates that the eye position can be determined as set forth in WO 94/09472. This published PCT application corresponds to U.S. Patent 5,467,104 to Furness, III et al. For purposes of convenience, reference will be made to the eye tracker disclosed in the '104 patent. In the '104 patent, a direction-of-view

evaluation module is set forth in the embodiments of both Figures 3 and 4. In Figure 3 of the '104 patent, light reflected off of the pupil is imparted upon beam splitter 100, which passes through the lens 102, and is detected by a position sensing diode 104. The output from the position sensing diode 104 is passed to the eye tracker 106.

With respect to the embodiment disclosed in Figure 4, an infrared light source 156 imparts light onto the pupil. Reflected light from the combiner 142 passes through a lens 144 to a CCD 146. The output from the CCD 146 is passed to a pupil position processor 154 in order to determine the position of the pupil. The eye tracking performed in the embodiment of Figure 3 is disclosed at column 8, lines 1-27 and with respect to the embodiment of Figure 4, it is primarily described at column 9, lines 14-24.

Independent Claims 1 and 12 have been amended to include features of the direction-of-view evaluation module and are generically supported by Figures 3 and 4 of the '104 patent. Further, dependent Claims 25 and 27 correspond to Figure 3 and dependent Claims 26 and 28 correspond to Figure 4 of the '104 patent.

As the details and features of the eye tracking set forth in the amended and added claims are neither disclosed nor suggested by the prior art, the rejection of the independent claims and each of the claims depending therefrom should be withdrawn. Specifically, the outstanding Office Action refers to paragraph [0040], lines 10-19 of Ahmad et al. (U.S. 2006/0282387 A1) on the top of p. 4 of the outstanding Office Action. However, it is clear from this citation that all that is mentioned is that eye tracking may be used, but no information on how the eye tracking is performed is set forth.

Based on the above, as the independent claims clearly recite the eye tracking, and this feature is neither disclosed nor suggested by the prior art of record, each of the independent claims and the claims depending therefrom are allowable and accordingly, each of the outstanding prior art rejections should be withdrawn.

Further, additional features of the prior art used to reject the claims is now reviewed. Lawler (U.S. 5,758,259) teaches an automated selective programming guide where a user preference table is established and compared to video programming available at the selected time. Thus, the automated programming guide identifies as the preferred program the video programming available having the greatest degree of correlation with user preferences (see e.g., the Abstract). The outstanding Office Action states on page 3 that Lawler fails to disclose the communications terminals each comprising a direction-of-view determining module for determining the current direction of view of at least one eye of the user; the media center further comprising a direction-of-view evaluation module, which on the basis of the current direction of view that is transmitted in each case by the respective communications terminal over the communications network to the media center, and on the basis of video objects and/or picture objects transmitted from the media center over the communications network to the respective communications terminal, determines picture objects being viewed by the user of the respective communications terminal.

In addition, Lawler does not teach the claimed interest-determining module located in the media center, which module determines user interests profiles based on picture objects viewed by the user. Lawler is limited to determining user interests based on watched programs. Thus, Lawler does not teach any means for determining user interest based on viewed pictures located at viewed spots of video or picture objects.

Ahmad et al. teaches a method for video enabled electronic commerce over the internet. As outlined in paragraph [0040] of Ahmad et al., Ahmad et al. teaches an advertising model wherein a publisher provides a website 300 which offers interactive advertising. Interactive advertising includes such things as encapsulated banners that begin an automatic download of the applet containing the vision-enabled content, web pages with products displayed, etc. when clicked on. Users 302 are connected to the content publisher's

website via a wide area network and are allowed to browse web pages of the website 300.

The publisher may receive statistics on the browsing habits of the users, such as how the user 302 was connected to the website 300 and whether the user 302 interacted with an advertisement on a web page. Further, group statistics may be collected.

Ahmad et al. further teaches that eye tracking may be used to determine whether the user looked at an advertisement. However, Ahmad et al. does not provide any details on how eye tracking is or would be implemented. For example, for determining whether a user looks at an advertisement, eye tracking may be implemented by checking whether the display or the advertisement is reflected in the user's eyes. However, eye tracking as taught by Ahmad et al. in no way discloses or implies the claimed direction-of-view determining module for determining the current direction of view of at least one eye of the user with respect to the display unit. Specifically, Ahmad et al. does not teach determining the current direction of view of a user's eye with respect to the display unit.

Further, according to Ahmad et al., any information related to the user's interaction with an advertisement is collected at the user's station and transmitted to the publisher's website (Fig. 3, paragraph [0040]). In paragraph [0047] and Fig. 5B, Ahmad et al. refers explicitly to what occurs at the user's station. In paragraph [0052], Ahmad et al. states that statistics are collected in operation 534, which is executed on the user's station. In paragraph [0043], Ahmad et al. teaches in operation 418 statistics are provided to the content provider when the user is finished interacting with the applet executing on the user's station.

However, Ahmad et al. does not teach the claimed feature that the current direction of view is transmitted by the respective communication terminal over the communications network to the media center. Thus, two features are clearly missing. First, Ahmad et al. does not teach determining the current direction of view; and second, Ahmad et al. does not teach transmitting such a current direction of view from the communications center to a media

center. Quite to the contrary, Ahmad et al. teaches that any statistical information is collected at the user's station and then transmitted to the current website. Ahmad et al. does not teach any statistical information that would include a current direction of view.

Further, Ahmad et al. does not teach a direction-of-view evaluation module in the media center, which determines viewed spots of the video objects and/or picture objects based on the current direction of view received from a respective communications terminal. Ahmad et al. merely teaches that eye tracking may be used to determine whether a user looked at an advertisement. Thus, Ahmad et al. teaches whether or not a user looked at an advertisement. Ahmad et al. teaches neither the direction of view evaluation module in the media center nor the determination of viewed spots of the video and/or picture objects. Moreover, Ahmad et al. does not teach the claimed interests-determining module located in the media center, which module determines user interests profiles based on viewed pictures located at viewed spots of video or picture objects.

In summary, while Ahmad et al.'s teachings are limited to using eye tracking to determine at the user's station whether a user looked at a specific advertisement, the claimed invention makes it possible in the media center to determine any spot that was viewed by the user in a video and/or picture object and therefore to determine any object viewed by the user in a video or picture object. Further, the details regarding this feature which have been added to the claims by way of the present amendment are neither disclosed nor suggested by the outstanding Office Action.

Accordingly, each of the prior art rejections is respectfully requested to be withdrawn.

Consequently, in light of the above discussion and in view of the present amendment, the present application is in condition for formal allowance and an early and favorable action to that effect is requested.

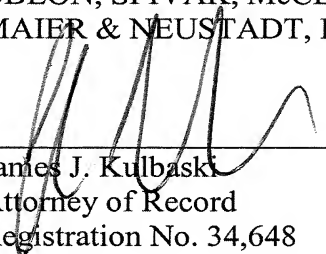
Respectfully submitted,

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